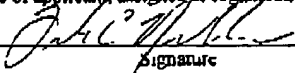


Certificate of Facsimile
I hereby certify that this correspondence is being
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Patent and Trademark Office February 3, 2006
(Date of Transmission)

FRANK C. NICHOLAS (33 983)
Name of applicant, assignee or registered representative

Signature
February 3, 2006
Date of Signature

PATENT
Case No. 10030458-1
(8770/32)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:)	
FALGUN D. PATEL, <i>et al.</i>)	
Serial No.: 10/820,098)	Group Art Unit No.: 3663
Filing Date: APRIL 7, 2004)	
For: OPTICAL SWITCH USING RARE)	Examiner: HUGHES, D. M.
EARTH DOPED GLASS)	

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

DATED DECEMBER 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Responsive to the Office Communication dated December 7, 2005, regarding the above-identified application, the Applicants elect without traverse to prosecute Invention I as identified by the Examiner, comprising claims 1-18. Please withdraw claims 19 and 20.

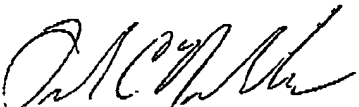
February 3, 2006
Case No. 10030458-1 (8770/32)
Serial No. 10/820,098
Filed: April 7, 2004
Page 2 of 6

Pursuant to the restriction based on species with different waveguide configurations as determined by the Examiner and shown by figures 1 and 2 and figure 9, the Applicants conditionally elect Species A for prosecution on the merits if no generic claim is held to be allowable. Claims 1-12 are readable on Species A. A listing of claims is attached.

Dated: February 3, 2006

Respectfully submitted,
Falgun D. Patel, et al

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